

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Garvey, et al

Serial No. 10/757,576

Filed: January 15, 2004



: Attn: Office of Initial
Patent Examination

: Group Art Unit: 1614

For: NITROSATED AND NITROSYLATED POTASSIUM CHANNEL ACTIVATORS,
COMPOSITIONS AND METHODS OF USE

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Attached is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. The Filing Receipt is missing the priority information. Also attached is a copy of the Transmittal Letter listing the correct priority information. It is requested that a corrected filing receipt be issued.

Please correct the domestic priority data on the Official Filing receipt to recite:

U.S. Application No. 10/154,916 filed May 28, 2002, pending

U.S. Application No. 09/570,727 filed May 12, 2000, issued as U.S. Patent No. 6,417,207

U.S. Application No. 60/133,888 filed May 12, 1999.

The present application properly claims priority to 3 different applications (2 US nonprovisional applications, and 1 provisional US application). Applicants respectfully request that the Official Filing Receipt be appropriately corrected.

Since the error was made by the U.S. Patent and Trademark Office, it is believed that no fee is required with regard to this Request; however, in the event that a fee is required, the Commissioner is authorized to charge such fee to Deposit Account No. 08-0219. A duplicate copy of this letter is attached.

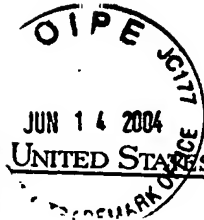
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward D. Grieff".

Edward D. Grieff
Registration No. 38,898

Date: June 10, 2004

WILMER CUTLER PICKERING HALE AND DORR LLP
1455 Pennsylvania Avenue, NW
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UNITED STATES PATENT AND TRADEMARK OFFICE

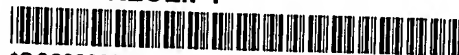
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| APR 23 2004 | |
| UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 180 Alexandria, Virginia 22304-0180 www.uspto.gov | |

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|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
| 10/757,576 | 01/15/2004 | 1614 | 1083 | 102258.286 US3 | 16 | 88 | 5 |

25270
EDWARD D GRIEFF
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WASHINGTON, DC 20004

CONFIRMATION NO. 4532

FILING RECEIPT



OC000000012401088

Date Mailed: 04/20/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

David S. Garvey, Dover, MA;
Inigo Sáenz de Tejada, Madrid, SPAIN;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 04/20/2004

Projected Publication Date: 07/21/2005

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Nitrosated and nitrosylated potassium channel activators, compositions and methods of use

Preliminary Class

HALE & DORR DOCKETING

RE: 102258.286 US3
Action Date: 5/20/04
Action to be Taken: CORR. FILE REC.
Docketed By: [Signature] On: 4/27/04

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Garvey et al**

Application No: **NOT YET ASSIGNED**

Filed: **January 15, 2004**

For: **Nitrosated and Nitrosylated Potassium Channel Activators, Compositions and Methods of Use**

Attorney Docket No: **102258.286 US3**

MAIL STOP PATENT APPLICATION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Transmittal Letter

Enclosed herewith for filing in the United States Patent and Trademark Office are the following documents:

1. New United States Patent Application claiming priority to:

US Application No. 10/154,916 filed May 28, 2002, pending
US Application No. 09/570,727 filed May 12, 2000,
issued as US Patent No. 6,417,207;
US Application No. 60/133,888 filed May 12, 1999.

entitled: **Nitrosated and Nitrosylated Potassium Channel Activators,
Compositions and Methods of Use**

and naming as inventors: **David S. Garvey and Inigo Saenz de Tejada**

the application having 107 pages:

59 pages of the specification;
31 pages of the claims;
1 page of Abstract; and
16 pages of Formal Drawings.

2. Executed Declaration and Power of Attorney filed in Application No. 09/570,727;
3. Information Disclosure Statement and PTO-1449 Form (10 Sheets);
4. Return postcard.

The small entity fee is calculated as follows:

| Claims | | Extra Claims | Fee per Claim | Fee Due |
|---------------|------|--------------|---------------|---------|
| 88 Total | - 20 | 68 | x \$9 | \$612 |
| 5 Independent | -3 | 2 | x \$43 | \$86 |

| | |
|----------------------|---------------|
| <u>Filing Fee</u> | \$385 |
| TOTAL FEE DUE | \$1083 |

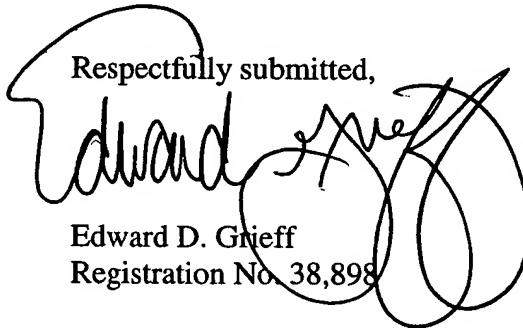
The Commissioner is authorized to charge the statutory filing fee of **\$1083** to Deposit Account No. 08-0219. The Commissioner is authorized to charge any other fees or credit any overpayments to Deposit Account No. 08-0219 to maintain the pendency of the application.

Please direct all correspondence in this application to:

Customer Number 25270

Edward D. Grieff, Esq.
Hale and Dorr LLP
1455 Pennsylvania Avenue, NW
Washington, DC 20004

Respectfully submitted,



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Date: January 15, 2004
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